

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA, )  
vs. )  
Plaintiff, )  
TOMMIE E. JACKSON, )  
Defendant . )  
No. 08-03089-01-CR-S-DGK

**REPORT AND RECOMMENDATION OF**  
**THE UNITED STATES MAGISTRATE JUDGE**

Upon motion of the defendant, and by order entered by the Court on May 6, 2009, a psychiatric/psychological evaluation was conducted pursuant to 18 U.S.C. §§ 4241 and 4242. The evaluation was conducted at the Federal Medical Center at Butner, North Carolina, and a psychological report was filed with the Court on August 25, 2009. The matter was called for a hearing. The defendant appeared in person and with counsel, David R. Mercer, Assistant Federal Public Defender. The United States was represented by Douglas C. Bunch, Assistant United States Attorney. There was no evidence presented, other than the report previously mentioned above. The mental health experts at the Federal Medical Center at Butner, North Carolina concluded that the defendant is not suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. It is therefore

RECOMMENDED that the defendant be declared competent to stand trial.

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/s/ James C. England  
**JAMES C. ENGLAND, CHIEF  
UNITED STATES MAGISTRATE JUDGE**

Date: September 22, 2009